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KANDY KISS OF CALIFORNIA, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BISCOTTI, INC.,

No. 3:07-cv-03681-VRW

Plaintiff,

VS

KANDY KISS OF CALIFORNIA, INC., et al.,

**STIPULATION OF DISMISSAL AND  
ORDER THEREON**

Defendant.

IT IS HEREBY STIPULATED, Plaintiff Biscotti, Inc. and Defendant Kandy Kiss of California, Inc., by their respective counsel, having reached a mutually agreeable settlement, that Case No. 3:07-cv-03681-VRW be and hereby is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1).

1 IT IS SO STIPULATED.  
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Dated: 6/26/2008

Dated: 6/26/2008

4 /s/  
5 Rosalyn Mitchell Esq.  
6 Nixon Peabody, LLP  
Counsel for Plaintiffs

/s/  
Mark D. Brutzkus Esq.  
Ezra, Brutzkus & Gubner, LLP  
Counsel for Defendants

7 THE FOREGOING STIPULATION IS APPROVED AND IS SO ORDERED.  
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Dated: \_\_\_\_\_

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United States District Court Judge  
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